

Before Judge Walter H. Rice

**CASE CAPTION: USA v. ERIC BARKER**

**CASE NUMBER: 3:09-cr-011**

Plaintiff's Attorney: AUSA William Schenck

Defendant's Attorney: Peter Rosenwald

Defendant appeared with Counsel.

**OTHER:** Results of the proffer session: The Gov't states there is no desire to proceed with a proffer. The Court states there is no reason to reconsider the Court's previous denial of the minor role reduction. Counsel for the defendant makes statement. Agent Lucas doesn't feel there is anything to be gained by a proffer. The Court wanted a proffer session. The Court leaves the decision to counsel for the defendant and his client as to whether the defendant will want to go forward with a proffer. Counsel for the defendant requests delay of the sentencing and a meeting to see if any useful information can be provided. The Court will delay sentencing for a period of two weeks. The Gov't to inform Agent Lucas the Court wants the proffer to take place. Sentencing reset for Friday, August 14, 2009 @ 9:30 AM.

COURT REPORTER: Debra Futrell

CONVENE 10:02 AM/10:21 AM

DEPUTY CLERK: Tempann Thomas

RECESS: 10:16 AM/10:33 AM